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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/423,284	02/22/2000	SCOTT BLAIR	0859-96	6562

7590

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EXAMINER

WONG, ALLEN C

ART UNIT

2613

PAPER NUMBER

18

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/423,284

Applicant(s)

BLAIR, SCOTT

Examiner

Allen Wong

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2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4,5,7 and 13-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4,5,7 and 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8. 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

The examiner would like to apologize to the applicant for withdrawing the previous objection to claim 13 made in the previous Office Action sent on 11/19/02, and reject the current set of claims as set forth by applicant's response sent on 2/24/03. It is the examiner's contention that there is sufficient art to reject these claims and the rejection will be shown as set forth below. This will be a non-final rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4, 5, 7 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerke (5,009,384) and Steventon (4,647,980), in view of Williams (6,038,426).

Regarding claim 13, Gerke discloses a video system for displaying televised material to passengers in a mass transit subway system (col.1, lines 6-12; note a subway car is a part of a train, Gerke's discloses the train and "other forms of public transit", thus the "other forms of public transit" meets the limitation of the mass transit subway system; col.2, lines 27-30 discloses displaying televised material to passengers "on a bus or the like", thus meeting the limitation of the mass transit subway system), and comprising at least one video display monitor adapted for mounting inside a

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subway car so as to display televised material to passengers riding therein (col.1, lines 6-12, and fig.1, element 2), and a video signal source unit operatively connected to said at least one monitor (col.1, lines 53-56; note cable means carries the video signal source; see fig.1 and 2 and note element 40 is a secured mount to mount the monitor 2, the monitor is mounted).

Gerke does not disclose the multiple video display monitors. However, Steventon teaches plural displays (fig.2, element 26 is an LCD screen and that each seat has an individual module element 16 that has an LCD screen 26). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Gerke and Stevenson for using multiple displays to satisfy and entertain passengers during long subway train rides. Both Gerke and Steventon pertain to video systems in vehicular transport modes.

Gerke and Steventon do not disclose the video monitor screen is substantially flush with the adjacent wall surface structure of the car. However, Williams discloses a flange element 125 is rests flush against the mounting plate (col.1, ln.42-55; Williams discloses the positioning of the flange element is substantially flush with the mounting plate). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Gerke, Steventon and Williams as a whole for placing the video monitor screen flush with the adjacent wall surface structure of the car, since Williams suggests that the flange element 125 rests flush with the monitor plate, so as to avoid taking room from passengers.

Regarding claims 4-5, 7 and 14, Gerke does not disclose the display of prerecorded material that is played back on video tape player. However, Steventon discloses the display of prerecorded material that is played back on video tape player (col.5, lines 60-66). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Gerke and Stevenson for using multiple displays to satisfy and entertain passengers during long subway train rides. Both Gerke and Steventon pertain to video systems in vehicular transport modes.

Regarding claim 15, Gerke does not disclose the multiple video display monitors. However, Steventon teaches plural displays (fig.2, element 26 is an LCD screen and that each seat has an individual module element 16 that has an LCD screen 26). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Gerke and Stevenson for using multiple displays to satisfy and entertain passengers during long subway train rides. Both Gerke and Steventon pertain to video systems in vehicular transport modes.

Regarding claim 16, Gerke discloses a cabling system (col.1, lines 53-56; note cable means). Gerke does not disclose multiple monitors. However, Steventon teaches plural displays (fig.2, element 26 is an LCD screen and that each seat has an individual module element 16 that has an LCD screen 26). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Gerke and Stevenson for using multiple displays to satisfy and entertain passengers during long subway train rides. Both Gerke and Steventon pertain to video systems in vehicular transport modes.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (703) 306-5978. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (703) 305-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Allen Wong
Examiner
Art Unit 2613

AW
April 1, 2003


CHRIS KELLEY
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